

KAUAI PLANNING COMMISSION  
REGULAR MEETING

**Tuesday, January 13, 2015**

**9:00 a.m. or Soon Thereafter**  
**Līhu'e Civic Center, Moikeha Building**  
**Meeting Room 2A-2B**  
**4444 Rice Street, Lihue, Kauai, Hawai'i**

**AGENDA**

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **SELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**  
**APPOINTMENT OF SUBDIVISION COMMITTEE CHAIRPERSON, VICE**  
**CHAIRPERSON AND COMMITTEE MEMBERS**
- D. **APPROVAL OF AGENDA**
- E. **MINUTES of the meeting(s) of the Planning Commission**
  - 1. Regular Meeting of November 25, 2014
  - 2. Regular Meeting of December 9, 2014
- F. **RECEIPT OF ITEMS FOR THE RECORD**
- G. **HEARINGS AND PUBLIC COMMENT** (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
  - 1. **Continued Agency Hearing** (NONE)

**G. HEARINGS AND PUBLIC COMMENT (Cont'd)**

**2. New Agency Hearing**

- a. Class IV Zoning Permit Z-IV-2015-10, Use Permit U-2015-9 and Special Permit SP-2015-2 to conduct agricultural educational programs and tours within a parcel located along the mauka side of Olohena Road in Kapaa Homesteads, situated approx. ½ mile mauka of its intersection with Waipouli Road, further identified as 5730 Olohena Road, Tax Map Key 4-4-03: 045, and affecting approx. 8.654 acres of a larger parcel = *Steelgrass Farm, LLC*. [Director's Report received 12/9/14.]
  1. Testimony (1/6/15) from Paul M. Arrigo.
  2. Testimony (1/6/15) from Susanne Gould.
  3. Testimony (1/6/15) from Jim & Lynelle Hughes.
- b. Class IV Zoning Permit Z-IV-2015-9, Use Permit U-2015-8 and Special Management Area Use Permit SMA(U)-2015-7 to allow conversion of an existing residence into a bed and breakfast operation on a parcel located along the eastern side of Alamihi Road in Wainiha, situated approx. 300 ft. mauka of its intersection with Kuhio Highway, further identified as 7083 Alamihi Road, Tax Map Key 5-8-012: 022, and containing a total area of 11,827 sq. ft. = *Kirby B. Guyer/Milton Searles*.

**3. Continued Public Hearing (NONE)**

**4. New Public Hearing (NONE)**

**5. All remaining public testimony pursuant to HRS 92 (Sunshine Law)**

**H. CONSENT CALENDAR**

**1. Status Reports**

- a. Sixth Annual Status Report for Special Management Area Use Permit SMA(U)-2008-05, Use Permit U-2008-4, Class IV Zoning Permit Z-IV-2008-6, Tax Map Key 5-2-012: 035, Kilauea, Kauai = *Charles Somers, as Trustee of the Charles Somers Living Trust dated November 12, 2002 and West Sunset 32 Phase 1, LLC, a California Limited Liability Company*.
  1. Director's Report pertaining to this matter.

**2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 1/27/15.**

- a. Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1 and Special Management Area Use Permit SMA(U)-2015-6 to permit repair and reconstruction of the former Coco Palms Resort including but not limited to: 350 hotel units, Lotus Restaurant and Flame Room Bar, the Lobby Building, the Commercial Building, three swimming pools, Queen's Audience Hall, the Palms Lanai, Sea Shell Restaurant, Chapel in the Palms, 2 of 4 Bridge Crossings; the construction of a new Utility & Maintenance Building and a new Queen Lagoon Building into a spa and gym

## H. CONSENT CALENDAR (Cont'd)

### 2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 1/27/15. (Cont'd)

facility on the site of the previously demolished structure. The project is situated in Wailua and located at 04-241 Kuhio Highway, further identified as Tax Map Keys 4-1-003: 004 (por.), 005, 007, 011, and 017 and 4-1-005: 014 and 017, and containing a total area of approx. 28.523 acres = ***Coco Palms Hui, LLC***.

1. Director's Report pertaining to this matter.

### 3. Shoreline Setback Activity Determination

- a. Shoreline Setback Commission Review SSCR-2015-05 and Shoreline Setback Determination SSD-2015-18 for a shoreline activity determination, Tax Map Key 5-8-010: 014, Unit 3, Wainiha, Kauai, for acceptance by the Commission = ***Pierce & Keely Brosnan***.

1. Director's Report pertaining to this matter.

- b. Shoreline Setback Commission Review SSCR-2015-06 and Shoreline Setback Determination SSD-2015-23 for a shoreline activity determination, Tax Map Key 2-6-012: 001, Lawai Bay, Kauai, for acceptance by the Commission = ***David & Annette Jorgensen Revocable Trust, Owner***.

1. Director's Report pertaining to this matter.

- c. Shoreline Setback Commission Review SSCR-2015-07 and Shoreline Setback Determination SSD-2015-24 for a shoreline activity determination, Tax Map Key 4-3-009: 050, Wailua, Kauai, for acceptance by the Commission = ***GCT Properties***.

1. Director's Report pertaining to this matter.

- d. Shoreline Setback Commission Review SSCR-2015-08 and Shoreline Setback Determination SSD-2015-26 for a shoreline activity determination, Tax Map Key 1-8-008: 043, Hanapepe, Kauai, for acceptance by the Commission = ***County of Kauai, Department of Parks and Recreation***.

1. Director's Report pertaining to this matter.

## I. EXECUTIVE SESSION

1. Pursuant to Hawaii Revised Statutes Sections 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the evaluation of the Planning Director. This session pertains to the Planning Director's evaluation where consideration of matters affecting privacy will be involved. Further, to consult with legal counsel regarding powers, duties, privileges and/or liabilities of the Planning Commission as it relates to the evaluation of the Planning Director.

**J. GENERAL BUSINESS MATTERS**

1. Class IV Zoning Permit Z-IV-2015-9, Use Permit U-2015-8 and Special Management Area Use Permit SMA(U)-2015-7 to allow conversion of an existing residence into a bed and breakfast operation on a parcel located along the eastern side of Alamihi Road in Wainiha, situated approx. 300 ft. mauka of its intersection with Kuhio Highway, further identified as 7083 Alamihi Road, Tax Map Key 5-8-012: 022, and containing a total area of 11,827 sq. ft. = ***Kirby B. Guyer/Milton Searles***.
  - a. Petition to Intervene by Petitioners Caren Diamond and Barbara Robeson (1/7/15).
  - b. Planning Department's Memorandum in No Opposition to Caren Diamond and Barbara Robeson's Petition to Intervene (1/7/15).

**K. COMMUNICATION (For Action) (NONE)**

**L. COMMITTEE REPORTS (NONE)**

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

**M. UNFINISHED BUSINESS (For Action)**

**N. NEW BUSINESS**

1. **For Action – See Agenda G for Project Descriptions**

**O. ANNOUNCEMENTS**

1. Topics for Future Meetings
2. The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawai'i 96766 on **Tuesday, January 27, 2015**.

**P. ADJOURNMENT**

**EXECUTIVE SESSION:** The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

**NOTE:** Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050